

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL REVISION APPLICATION NO.422 OF 2016
with
CRIMINAL APPLICATION NO.301 OF 2017
IN
CRIMINAL REVISION APPLICATION NO.422 OF 2016**

Shri Anant Budhaji Koli ... Applicant

Vs.

The State of Maharashtra & anr. ... Respondents

Mr.Aditya Sharma i/b Sudha Dwivedi for the Applicant
Mr.N.B. Patil, APP, for the Respondent – State
Mr.M.S. Adenwala for Resp. No.2

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: APRIL 1, 2019

P.C.:

1. Leave to amend prayer clause (a). Amendment to be carried out forthwith.
2. The parties have settled their dispute and tendered consent terms dated 25.2.2019 signed by the applicant and respondent No.2 and also their respective advocates. The original complainant/respondent No.2 is present in the Court and the applicant is absent as he is sick. The identity of the complainant is verified by the Court Sheristedar.

3. The learned Counsel for the applicant/accused submits that the accused has deposited an amount of Rs.3,70,000/- and accordingly, the facts and agreed conditions are mentioned in paragraphs 4 to 6 of the consent terms. The original receipts and photocopies of the money deposited by the accused in the High Court and the trial Court are handed over to the learned Counsel for the complainant.

4. The consent terms are taken on record and marked Exhibit 1. The undertakings given in the consent terms are accepted.

5. In view of the consent terms, the order of conviction dated 20.12.2014 passed by the learned Metropolitan Magistrate 64th Esplanade Court, Mumbai in CC No.5772/SS/2012 and also the order dated 21.11.2015 passed by the learned Additional Sessions Judge, Greater Mumbai in Appeal No.53 of 2015 are quashed and set aside. The complainant is allowed to withdraw the amount deposited on presentation of receipts.

6. The Revision application and Criminal Application No.301 of 2017 are disposed of in terms of consent terms.

(MRIDULA BHATKAR, J.)